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## NOTICE OF ALLOWANCE AND FEE(S) DUE

30671

7590

12/02/2009

DITTHAVONG MORI & STEINER, P.C.  
918 Prince Street  
Alexandria, VA 22314

EXAMINER

AJIBADE AKONAI, OLUMIDE

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 12/02/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,193	03/28/2006	Erkki I. Aaltonen	P2922US00	5890

TITLE OF INVENTION: METHOD AND MOBILE TERMINAL FOR ACCESSING A SERVICE PORTAL VIA BI-DIRECTIONAL NETWORK

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/02/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to:** **Mail** **Mail Stop ISSUE FEE**  
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**P.O. Box 1450**  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

30671 7590 12/02/2009  
**DITTHAVONG MORI & STEINER, P.C.**  
 918 Prince Street  
 Alexandria, VA 22314

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,193	03/28/2006	Erkki I. Aaltonen	P2922US00	5890

**TITLE OF INVENTION: METHOD AND MOBILE TERMINAL FOR ACCESSING A SERVICE PORTAL VIA BI-DIRECTIONAL NETWORK**

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/02/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
AJIBADE AKONAL, OLUMIDE	2617	455-003020

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

**PLEASE NOTE:** Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

**NOTE:** The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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30671	7590	12/02/2009	EXAMINER	
AJIBADE AKONAI, OLUMIDE				
DITTHAVONG MORI & STEINER, P.C. 918 Prince Street Alexandria, VA 22314			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 12/02/2009

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 289 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 289 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

# Notice of Allowability

## Application No.

10/574,193

## Examiner

OLUMIDE T. AJIBADE AKONAI

## Applicant(s)

AALTONEN ET AL.

## Art Unit

2617

### - The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/09/2009.
2. ☒ The allowed claim(s) is/are 1,2,4-11,13,16,19-32 and 34-47.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 1, 2, 4-11, 13, 16, 19-32, and 34-47 are allowed.

The following is an examiner's statement of reasons for allowance: Regarding **claim 1, Kim et al 20030032389**, discloses a method of operating a mobile terminal, the method comprising: accessing a service station via a bi-directional network; selecting an item on a service menu included in the service station and corresponding to a broadcast service relating to the corresponding broadcast service from the service station; using the received channel parameter data to open a communications channel.

The instant invention discloses a mobile station accessing a service portal via a bi-directional network; using the received channel parameter data and the service information data to open a broadcast communications channel via a broadcast network separate from the bi-directional network; and receiving broadcast data for the broadcast service through the broadcast communications channel. The above novel features in combination with other limitations of the claim are neither taught, suggested, nor made obvious by Kim et al or any other prior art of record. Claims 2, 4-9, and 40 are allowable by virtue of their dependency on claim 1.

Regarding **claim 10, Kim et al 20030032389** discloses a mobile terminal comprising: means for accessing a service station via a bi-directional network; means for allowing selection of an item on a service menu included in the service station and corresponding to a broadcast service; means for receiving from the service station channel parameter data relating to the broadcast service; means for opening a

communications channel using the channel parameter data; and means for receiving broadcast data for the broadcast service through the communications channel.

The instant invention discloses a mobile terminal comprising: means for opening a broadcast communications channel via a broadcasting network separate from the bi-directional network by using the channel parameter data and the service information data, and means for receiving broadcast data for the broadcast service through the broadcast communications channel. The above novel features in combination with other limitations of the claim are neither taught, suggested, nor made obvious by Kim et al or any other prior art of record.

Claims 11, 13, 16, 41, and 43-46 are allowable by virtue of their dependency on claim 10.

Regarding **claim 19, Kim et al 20030032389** discloses a method of operating a server, the method comprising: storing data relating to channel parameters of one or more broadcast services; receiving a request from a user terminal for accessing a service portal stored in the server over a bi-directional network: providing over the bi-directional network one or more selectable items on a service menu included in the service portal, each item relating to a broadcast service;

The instant invention disclose in response to the selection of an item from the user terminal, sending channel parameter data relating to the corresponding broadcast service to the user terminal, wherein the channel parameter data includes one or more instructions to access a broadcast communications channel via a broadcast network separate from the bi-directional network. The above novel features in combination with

other limitations of the claim are neither taught, suggested, nor made obvious by Kim et al or any other prior art of record.

Claims 20-23 and 47 are allowable by virtue of their dependency on claim 19.

Regarding **claim 24, Kim et al 20030032389** discloses an apparatus, the apparatus being configured to: to store data relating to channel parameters of one or more broadcast services; to provide one or more selectable items on a service menu, each item relating to a broadcast service; and to be responsive to the selection of an item by a remote terminal to send channel parameter data relating to the corresponding broadcast service to the remote terminal, wherein the apparatus is a service portal.

The instant invention discloses wherein the channel parameter data includes one or more instructions to access a broadcast communications channel via a broadcast network separate from the bi-directional network. The above novel features in combination with other limitations of the claim are neither taught, suggested, nor made obvious by Kim et al or any other prior art of record.

Claims 25-28 are allowable by virtue of their dependency on claim 24.

Regarding **claim 29, Kim et al 20030032389**, A system comprising a service portal accessible via a bi-directional network by a mobile terminal, the service portal being arranged to provide over the bi-directional network a service menu comprising one or more items each corresponding to a broadcast service; the mobile terminal being arranged for allowing selection of one of the items over the bi-directional network; the service portal being responsive to an item selection to send to the mobile terminal channel parameter information via the bi-directional network, the channel parameter

information relating to the corresponding broadcast service; the mobile terminal being arranged for receiving service information data relating to the corresponding broadcast service.

The instant invention discloses the mobile terminal being arranged to use the channel parameter information and the service information to open a broadcast communications channel via a broadcast network separate from the bi-directional network, and to receive broadcast data for the broadcast service through the broadcast communications channel. The above novel features in combination with other limitations of the claim are neither taught, suggested, nor made obvious by Kim et al or any other prior art of record.

Regarding **claim 30, Kim et al 20030032389** discloses a method of operating a system comprising a service portal and a mobile terminal, the method comprising: accessing the service portal from the mobile terminal via a bi-directional network; providing a service menu comprising one or more items each corresponding to a broadcast service; using the mobile terminal to select one of the items; sending channel parameter information from the service portal to the mobile terminal over the bi-directional network, the channel parameter information relating to the broadcast service.

The instant invention discloses at the mobile terminal, using the received channel parameter information to open a broadcast communications channel via a broadcast network separate from the bi-directional network; and at the mobile terminal, receiving broadcast data for the broadcast service through the broadcast communications channel. The above novel features in combination with other limitations of the claim are



neither taught, suggested, nor made obvious by Kim et al or any other prior art of record.

Regarding **claim 31**, Kim discloses an apparatus configured: to access a service portal via a bi-directional network; to allow selection of an item on a service menu included in the service portal and corresponding to a broadcast service; to receive from the service portal channel parameter data relating to the broadcast service the channel parameter data being received via the bi-directional network; to receive service information data relating to the broadcast service.

The instant invention discloses the apparatus configured to open a broadcast communications channel via a broadcast network separate from the bi-directional network by using the channel parameter data and the service information; and to receive broadcast data for the broadcast service through the broadcast communications channel, wherein the apparatus is a mobile terminal. The above novel features in combination with other limitations of the claim are neither taught, suggested, nor made obvious by Kim et al or any other prior art of record.

Claims 32, 34-39, and 42 are allowable by virtue of their dependency on claim 31.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nagaoka et al 20020137496 discloses program providing system.

Haagen 20070072542 discloses a communication system comprising a wireless communication system comprising a wireless communication network, a radio broadcasting network and a wireless device which can receive signals from both networks.

Ferris 20030104832 discloses a mobile telephone with receive only mode.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUMIDE T. AJIBADE AKONAI whose telephone number is (571)272-6496. The examiner can normally be reached on M-F, 8.30p-5p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA

/Charles N. Appiah/  
Supervisory Patent Examiner, Art Unit 2617